

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

In re Application of

Atty. Docket

GERARDUS G.P. VAN KORKOM ET AL

NL020035

Serial No. 10/501,827

PCT NO. PCT/IB03/00067

Int'l Filing Date: 14 Jan. 2003

PRIORITY DATE: 22 Jan. 2002

DISPLAY DEVICE COMPRISING A LIGHT GUIDE

MAIL STOP PCT

Commissioner for Patents

Office of PCT Legal Administration

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: OFFICE OF PCT LEGAL ADMINISTRATION

RENEWED REQUEST UNDER 37 CFR 1.42

Sir:

In response to the DECISION ON PAPERS UNDER 37 CFR 1.42 dated January 3, 2005, enclosed is a Declaration properly signed by the Applicants and Legal Representative which also includes the citizenship, mailing address and residence information for both the deceased inventor and the legal representative as required under 37 CFR 1.497(b)(2). Accordingly, the above-identified patent application is now complete.

Please charge any fees, which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date:

March 3 2005

By:

[Signature]

Respectfully submitted,

By

[Signature]
Aaron Waxler, Reg. 48,027

Attorney

(914) 333-9608

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Legal Staff
International Division
- 2005



3 JAN 2005

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United States Patent and Trademark Office
P.O. Box 1450
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RECEIVED	11 11 03
SECRETARY	2005
ATTORNEY	

In re Application of
VAN GORKOM, et al.
Application No.: 10/501,827
PCT No.: PCT/IB03/00067
Int. Filing Date: 14 January 2003
Priority Date: 22 January 2002
Attorney Docket No.: NL 020035
For: DISPLAY DEVICE COMPRISING A
LIGHT GUIDE

DECISION ON PAPERS

UNDER 37 CFR 1.42

This decision is in response to applicant's declarations filed 19 July 2004 in the United States Patent and Trademark Office (USPTO). The response is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 14 January 2003, applicant filed the international application, which claimed a priority date of 22 January 2002. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 22 July 2004.

On 19 July 2004, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by the requisite basic national fee; an Information Disclosure Statement; a first preliminary amendment; an assignment for recording and a combined declaration and power of attorney.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

"In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent."

The declaration filed 19 July 2004 is executed by joint inventors Peter Duine, Johannes Marra, Petrus Bongaerts, Johannes Den Biggelaar and Roland Schuurbijs. In addition, the declaration has been executed by Henricus Kunnen as legal representative of the deceased joint

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inventor, Gerardus van Gorkom. However, the declaration is not in compliance with 37 CFR 1.497 (a)-(b) in that the declaration does not set forth the residence, post office address and country of citizenship of the legal representative. Under 37 CFR 1.497(b) the information must be provided for both the deceased inventor and his legal representative. In addition, the filed declarations fail to conform to the Manual of Patent Examining Procedure (MPEP). Section 201.03 explains:

An oath or declaration under 37 CFR 1.63 by each actual inventor must be presented. While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity. Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration.

The filed declarations contain six pages one of two and only a single page two of two. As such, it appears that the inventors were not provided with complete declarations for signature or only returned the signature pages. Either scenario renders the documents non-compliant.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **DENIED, without prejudice.**

Applicant is hereby afforded **TWO (2) MONTHS** from the mail date of this decision to file an oath or declaration in compliance with 37 CFR 1.497 (a)-(b) as detailed above. Any reconsideration request should include a cover letter entitled, "Renewed Request Under 37 CFR 1.42." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: 571-272-3294
Fax: 571-273-0459

PTO/SB/02LR (08-03)
Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION	LEGAL REPRESENTATIVES (35 U.S.C. 117) Supplemental Sheet
Page _____ of _____	

Name of Legal Representative:		<input type="checkbox"/> A petition has been filed for this non-signing legal representative	
Given Name (first and middle (if any))		Family Name or Surname	
Henricus Josephus		KUNNEN	
Legal Representative's Signature <i>Henricus J. Kunnem</i>		Date 07 February 2005	
Residence: City Valkenswaard	State	Country Netherlands	Citizenship Netherlands
De Molenwiek 6			
Mailing Address			
Mailing Address			
City Valkenswaard	State Netherlands	Zip 5554 KL	Country Netherlands
Name of Additional Legal Representative, if any:		<input type="checkbox"/> A petition has been filed for this non-signing legal representative	
Given Name (first and middle (if any))		Family Name or Surname	
Legal Representative's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
Name of Additional Legal Representative, if any:		<input type="checkbox"/> A petition has been filed for this non-signing legal representative	
Given Name (first and middle (if any))		Family Name or Surname	
Legal Representative's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 117 and 37 CFR 1.42, 1.43, 1.63 and 1.64(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Jack E. Haken, Reg. No. 26,902
Michael E. Marion, Reg. No. 32,266
Edward M. Blocker, Reg. No. 30,245

Direct Telephone Calls to:
(name and telephone number)
(914)332-0222

201	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OF FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		VAN GORKOM (deceased)	Gerardus	Gegorius Petrus
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		DUINE	Peter	Alexander
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
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	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		MARRA	Johannes	
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands
204	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		BONGAERTS	Petrus	Fransiscus Gerardus
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands
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	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		DEN BIGGELAAR	Johannes	Gijsbertus Antonius
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands
206	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		SCHUURBIERS	Roland	Marinus
		Eindhoven	The Netherlands	The Netherlands
		Prof. Holstlaan 6	5656 AA Eindhoven	The Netherlands

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
<i>Henricus J. Kunnik</i> <i>Legal Representative</i>		
DATE 01 June 2004	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"Display device comprising a light guide"**
the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No _____

on _____

and was amended

on _____

☒ was filed as PCT international application

Number PCT/IB03/00067

on 14 January 2003

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Europe	02075255.6	22 January 2002	YES

U.S. DEPARTMENT OF COMMERCE -Patent and Trademarks Office
(July 1994)


POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

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Edward M. Blocker, Reg. No. 30,245

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(914)332-0222

201	FULL NAME OF INVENTOR	FAMILY NAME VAN GORKOM	FIRST GIVEN NAME Gerardus	SECOND GIVEN NAME Gegorius Petrus
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OF FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
202	FULL NAME OF INVENTOR	FAMILY NAME DUINE	FIRST GIVEN NAME Peter	SECOND GIVEN NAME Alexander
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
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203	FULL NAME OF INVENTOR	FAMILY NAME MARRA	FIRST GIVEN NAME Johannes	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
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206	FULL NAME OF INVENTOR	FAMILY NAME SCHUURBIERS	FIRST GIVEN NAME Roland	SECOND GIVEN NAME Marinus
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
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SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202 	SIGNATURE OF INVENTOR 203
DATE	DATE 25 August 2003	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

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the specification of which (check only one item below):

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Europe	02075255.6	22 January 2002	YES

U.S. DEPARTMENT OF COMMERCE -Patent and Trademarks Office
(July 1994)

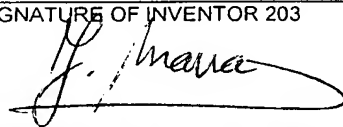
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SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
		
DATE	DATE	DATE 27 August 2003
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

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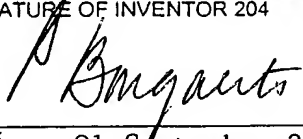
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202	FULL NAME OF INVENTOR	FAMILY NAME DUINE	FIRST GIVEN NAME Peter	SECOND GIVEN NAME Alexander
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	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204 	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE 01 September 2003	DATE	DATE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"Display device comprising a light guide"**
the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No _____

on _____

and was amended

on _____

☒ was filed as PCT international application

Number PCT/IB03/00067

on 14 January 2003

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Europe	02075255.6	22 January 2002	YES

U.S. DEPARTMENT OF COMMERCE -Patent and Trademarks Office
(July 1994)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Jack E. Haken, Reg. No. 26,902
Michael E. Marion, Reg. No. 32,266
Edward M. Blocker, Reg. No. 30,245

Direct Telephone Calls to:
(name and telephone number)
(914)332-0222

201	FULL NAME OF INVENTOR	FAMILY NAME VAN GORKOM	FIRST GIVEN NAME Gerardus	SECOND GIVEN NAME Gegorius Petrus
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OF FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
202	FULL NAME OF INVENTOR	FAMILY NAME DUINE	FIRST GIVEN NAME Peter	SECOND GIVEN NAME Alexander
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
203	FULL NAME OF INVENTOR	FAMILY NAME MARRA	FIRST GIVEN NAME Johannes	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
204	FULL NAME OF INVENTOR	FAMILY NAME BONGAERTS	FIRST GIVEN NAME Petrus	SECOND GIVEN NAME Fransiscus Gerardus
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
205	FULL NAME OF INVENTOR	FAMILY NAME DEN BIGGELAAR	FIRST GIVEN NAME Johannes	SECOND GIVEN NAME Gijsbertus Antonius
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Prof. Holstlaan 6	CITY 5656 AA Eindhoven	STATE & ZIP CODE/COUNTRY The Netherlands
206	FULL NAME OF INVENTOR	FAMILY NAME SCHUURBIERS	FIRST GIVEN NAME Roland	SECOND GIVEN NAME Marinus
	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
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DATE	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE 03 September 2003	DATE

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COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Europe	02075255.6	22 January 2002	YES

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	RESIDENCE & CITIZENSHIP	CITY Eindhoven	STATE OR FOREIGN COUNTRY The Netherlands	COUNTRY OF CITIZENSHIP The Netherlands
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SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE 05 September 2003

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

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